

Moultonborough Zoning Board of Adjustment
P.O. Box 139
Moultonborough, NH 03254

Regular Meeting

October 5, 2011

Minutes

Present:	Members:	Bob Stephens, Jerry Hopkins, Nicol Roseberry
	Alternate:	Joseph Crowe; Town Planner, Bruce W. Woodruff
Excused:	Member	Russell Nolin, Ray Heal
	Alternate:	Robert Zewski

I. Call to Order

Mr. Stephens called the meeting to order at 7:31 PM and introduced the members of the board to the public. Mr. Stephens appointed Mr. Crowe to sit on the board with full voting privileges in place of Mr. Nolin.

II. Pledge of Allegiance

III. Approval of Minutes

Motion: Mr. Hopkins moved to approve the Zoning Board of Adjustment Minutes of September 21, 2011 as written, seconded by Ms. Roseberry, carried unanimously.

IV. Hearings

1. Continuation of Public Hearing – Richard Raisanen Revocable Trust (168-18) (34 Knoll Point Drive) Variance from Article III (B)(3)

Ms. Roseberry stepped down from the board at this time, leaving a quorum of three.

Mr. Stephens stated that this hearing for an application for a variance. It was noted for the record that no one was present this evening representing the applicant.

The board reviewed the Draft Notice of Decision prepared by staff, as directed by the board at the hearing on September 21st. Mr. Hopkins commented that it was a Notice of Decision for denial and that number 11 should be amended, striking the word not from the sentence “would not be contrary”. There were no additional changes made to the draft decision or further discussion regarding the hearing.

Motion: Mr. Hopkins moved to deny the application for the **Richard Raisanen Revocable Trust (168-18)** for a variance, as detailed in the Draft Notice of Decision, and to authorize the Chairman to sign an amended Notice of Decision, seconded by Mr. Crowe, passed by a vote of three (3) in favor (Stephens, Hopkins, Crowe), none (0) opposed, and 0 abstentions.

Ms. Roseberry returned to the board at this time with full voting privileges.

2. Jancic Family Revocable Trust 2011 (133-42)(169 Stanyan Road)
Variance from Article III (B)(4)

Mr. Stephens noted that there were only four members seated at this time and the applicant is entitled to a full board of five members. If the applicant was willing to proceed with a board of four, then he forfeits his right to request a rehearing on a basis of a board of four. Mr. Stephens noted the applicant may request a continuance to the next available date. Mr. & Mrs. Jancic stated for the record that they would proceed with a board of four.

Tony Fallon of Tony Fallon Architecture was present in the audience for the hearing. Mr. Fallon noted the applicant is requesting a variance to replace an existing solar heated room with a standard finished construction with standard heat, within the required 50 foot water setback. They also are seeking a variance to add a set of steps to the existing deck within the required 50 foot water setback. In addition they are seeking relief to replace the current 4x4 columns on sonotubes with more substantial supports.

Mr. Fallon briefly described the existing Lot, and the project. Mr. Fallon noted that he had contacted NHDES regarding the need for a Shoreland Permit, noting he had received a response from NHDES stating that the project as is, can be submitted under a Shoreland Permit by Notification.

The Board members discussed the information provided to them and reviewed photos submitted by Mr. Fallon of the existing home.

Mr. Crowe requested for clarification that the existing footprint was not changing with the proposed project. It was stated yes, with the exception of the larger columns.

Mr. Stephens asked if there were any questions from the public, it was noted there was none. The board went into deliberative session to discuss each of the criteria for granting the variance at 7:48 PM and came out at 7:50 PM. There was no further input from the board or public.

Motion: Mr. Hopkins moved to direct staff to draft a Notice of Decision to approve the variance for the **Jancic Family Revocable Trust (133-42)** and to continue the Public Hearing to October 19, 2011, seconded by Ms. Roseberry, passed by a vote of four (4) in favor (Stephens, Hopkins, Roseberry, Crowe), none (0) opposed.

VI. Correspondence

1) Mr. Stephens stated that the LCG was holding a fall workshop on Saturday, October 29, 2011 and all were encouraged to attend. Those wishing to attend should contact Mr. Woodruff

2) Board of Selectmen Draft Minutes of September 29, 2011 were noted.

VII. Unfinished Business

VII. Adjournment

Motion: Ms. Roseberry made the motion to adjourn at 7:54 PM, seconded by Mr. Crowe, carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant